



Jon

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinji MIWA et al.

Group Art Unit: 2624

Application No.: 10/809,836

Examiner: D. ROSARIO

Filed: March 26, 2004

Docket No.: 118929

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD, AND
IMAGE PROCESSING PROGRAM

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 8, 2007 Restriction Requirement, Applicants provisionally elect
Group II, claims 1, 2, 3, 7, 8, 9, 10 and 11, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-44 is sufficiently
related that a thorough search for the subject matter of any one Group of claims would
encompass a search for the subject matter of the remaining claims. Thus, it is respectfully
submitted that the search and examination of the entire application could be made without
serious burden. See MPEP §803 in which it is stated that "if the search and examination of an
entire application can be made without serious burden, the examiner must examine it on the
merits, even though it includes claims to independent or distinct inventions" (emphasis
added). It is respectfully submitted that this policy should apply in the present application in
order to avoid unnecessary delay and expense to Applicants and duplicative examination by
the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Further, although claims 1-44 are indicated as being subject to restriction in the Office Action Summary, Applicants note claim 44 was not included within an identified group. It is assumed that claim 44 was intended to be included with group IV, as claim 44 derives dependence from independent claim 39. This response was prepared accordingly.

Respectfully submitted,

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Date: July 9, 2007

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